

# Disabilities Advisory Council Minutes

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**Meeting:** Disabilities Advisory Council  
**Date:** 4/9/2013  
**Start Time:** 2:00 P.M.  
**End Time:** 4:00 P.M.  
**Location:** Conference Room 1020C  
Multi-Agency State Office Building  
195 North 1950 West  
Salt Lake City, UT 84116  
**Type of Meeting:** Regular Monthly Meeting

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<b><u>Members:</u></b>	<b><u>Present:</u></b>	<b><u>Absent:</u></b>
Peggy Augustine	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Debora Bowman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kristen Chapman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marsha Colegrove	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dustin Erikson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tonya Hales	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shane Sadler	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Paul Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Krissie Summerhays	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joseph Taggart	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Larry Valdez (present by phone)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Westling	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## **Matters Discussed and Summary of Comments:**

## **Presenter:**

### Welcome and Announcements

Deborah Bowman, Chair

- Discussion of a new regular meeting time for the council.
- John Westling motion to move the regular meeting time to the 4th Tuesday of each month.
  - Unanimous approval.

### Review and Approval of Minutes

Deborah Bowman, Chair

- Dustin Motion to accept the minutes as written.
  - Unanimous approval.
  - Tonya Hales abstains.

### Housekeeping Items

Deborah Bowman, Chair

- Approval on how the room is set up.

## DSPD Moment – Announcements and Soliciting Input:

### Legislative Update from Division

Paul Smith

- Paul Day has resigned his position at DSPD, and Bob Downing has temporarily taken over his position.
  - Contact Bob Downing from now on instead of Paul Day.
- DSPD presented 4 Building blocks that were accepted and approved by the Legislature
  - 1) DSPD requested ongoing funding for the Community Supports Waiver to correct the structural imbalance that existed because of one-time funding appropriations.
    - The Legislature approved that request for ongoing funding and appropriated funds accordingly.
    - Prevents both rate cuts and elimination of services from the waiver.
  - 2) DSPD requested an appropriation for persons in services who had additional needs requests during the year.
    - That appropriation was also made, allowing DSPD to ensure that persons who had requested additional needs were given the additional supports that were needed.
  - 3) DSPD requested an appropriation from the Legislature for persons in DCFS custody who are transitioning to DSPD waiver services.
    - That appropriation was approved as well.
  - 4) The Legislature also approved a 1% rate increase.
    - Some discussion as to what the rate increase means.
      - Stephen Jardine commented and provided insight:
        - Informally the 1% increase is called a COLA.
        - The 1% is calculated on the State-General Fund, and may not translate to 1% exactly for providers. It is a 1% increase in what the general fund is giving to DSPD.
      - Dustin Erikson commented that in years past it ends up being more like .8% when finally translated to providers.
      - Paul Smith, suggested that it may have been .8% because of administrative costs, but there has been no discussion of taking out admin.
      - However, the bottom line is that DSPD, as of this meeting, is not exactly sure what that amount is actually going to translate to the Providers, but will look into that question.
    - Paul Smith commented on the importance of this rate increase to meet the cost increases of many of DSPD's Providers.
  - Paul Smith commented in general on how positive the Legislative Session was from an appropriation and funding aspect.
    - Additionally, all the testimonials at the session were positive, and advocates did a tremendous job providing testimony that was compelling and pertinent to the issues and made a big difference.
- Waiting List funding was approved at \$500,000 in the Legislative Budget which is fantastic.
  - DSPD has Identified "roughly" around 120 people.
  - S.B. 259 changed the way that people are brought off the waiting list.
    - 85% of the appropriation goes to people who have the most critical needs score;

- 15% will go to people who are identified as only needing respite.
  - Helps DSPD bring more people into the waiver.
  - Should help bring down the cost of services per person.
  - Shows that the Legislature recognizes that if DSPD can provide respite services up front, it can help control service costs in the future and prevent some crisis situations.
  - Also, people who are identified as needing only respite will be brought off the waiting list through a random selection.
- The Bill also changes the way that the Division uses carry forward funds:
  - DSPD has been given statutory authority to carry forward one-time funding and authority to govern how that one-time funding will be used to help people on the waiting list in the following areas:
    - Family Preservation
    - One-time Respite
    - Service Brokering
    - After School Programs
    - Professional Services
  - This funding will be limited, but will give DSPD more flexibility in what we want to do.
- S.B 259 goes into effect July 1st this year.
- Joyce Dolcourt asks whether DSPD will be contracting with community service brokers.
  - Paul Smith – That is a possibility; DSPD has not yet looked into that and is currently focusing on the Respite and Family Preservation programs. However, that is probably the most likely route.
- Kristen Chapman clarified that the carry forward money is not being used to bring people off the waiting list.
- Deborah Bowman asks whether temporary services through the carry forward money, will have an effect on the person's need scores.
  - DSPD is unsure at this time, but this is something Paul Smith will look into.
- The last big change is how DSPD will be using attrition funding. Attrition funding will be used to bring persons off the waiting list.
  - "Attrition money" is money DSPD has because a person no longer is receiving services through DSPD. Usually because that person has passed away, has left the state, or become ineligible for services.
  - In past that money went to satisfy additional needs for people already in services.
  - The bill now earmarks that money to go toward bringing people off the waiting list.
  - It should bring people into waiver services on a regular basis, rather than all at once at the beginning of a new fiscal year.
  - The 120 people DSPD has targeted to bring people off the waiting list, includes people DSPD anticipates bringing off during the year, using attrition money.
- DSPD will start the process of bringing people off the waiting list right away.

- S.B. 17
  - Creates two accounts at USDC:
    - One account for donations for USDC; and
    - Another account for proceeds from land development at USDC.
      - It creates more protection than the trust account for USDC that existed in the past.
  - Went through 3 committee hearings, the Senate and the House, and there was not one vote against it.
  - It was a good message for the legislature and the public regarding the purpose and the benefits of USDC.
    - It made it a great public relations bill.
  - Did the USDC strategic planning get presented to the committees that this bill came from?
    - Not in every presentation, but in at least two.
- S.B. 200
  - Clarifies background checks for UTA paratransit drivers, which came about not because of any problems, but purely issues for contractual negotiations.
- Question regarding S.B. 55 to propose mandatory insurance coverage for Autism services from Krissie Summerhays:
  - The original bill got changed, but neither the original bill nor the change passed.
- Clarification from Paul Smith that all allocation money is going to services.

Update on the Respite Program at Utah State Developmental Center      Guy Thompson/Curtis Downing

- USDC's Contract shows that they can do RP4, RP5, RP8.
  - RP4 – Standard respite with room and board, done at a facility.
    - RP5 – Higher need respite under the same guidelines as RP4.
    - RP8 – Self-Administered Services Respite
- So far, the program has had a slow start:
  - Total of 5 stays – and 25 daily units. USDC is hoping to expand that over the second year of the pilot program.
    - One hurdle is the age requirement, because with the pilot program the age requirement is 18.
    - USDC does get requests for people of younger age, but USDC's contract limits them to the age 18 requirement.
  - Currently USDC has 8 visits scheduled.
    - Shortest stay = 4 days; Longest = 14 days (full stay)
  - Doing things to get the word out: Open houses, private tours, and presentations to support coordinators.
  - Process for Admissions is online – trying to make it easy to apply.
  - Lowest staffing ratio = 1 to 6 (RP4 and 5); 1 to 3 (RP8).
    - Question on how RP8 is being utilized at USDC, because there is some concern about whether that should be happening.
    - Question is whether or not USDC should be billing as a traditional provider.
  - USDC has a provider contract, as well as other contracts, which is completely new.
- Right now USDC is over serving – let people know that there are openings for respite as USDC.
  - USDC does not currently do medication, which limits them somewhat.
    - Toileting, bathing, etc., they do that; but not medication.

- Some discussion on what USDC can or cannot do regarding medication.
- USDC has been able to provide services for people with pretty high needs.
- Respite services are separated from the general population at the request of the Assistant Attorney General.
- Advisory Council is invited to give feedback to DSPD/USDC on what to do next to improve the respite program there.
  - A motion is made by Krissie Summerhays, motion is seconded and unanimous vote in the affirmative, for USDC to consider the following changes:
    - Lower the age limit to allow for children under 18 to use respite services.
    - Allow Private Pay Respite Services.
    - Open services to all respite codes.
    - Open respite during the day, not just overnight.
    - Resolving issues surrounding USDC's ability to administer medication.

#### New Division Online Surveys

Chad Midgley

- Introduces the surveys that DSPD is currently running and the methods by which surveys are conducted, as well as introduces the concept of moving to online surveys instead of mail-out surveys:
  - Overview of the advantages and disadvantages of Mail-Out vs. Online Survey taking procedures
- Feedback received from the Council regarding moving to online methods:
  - Idea is to ask consumers, at initial eligibility, the method they would prefer DSPD to use in contacting them.
    - Send a card that asks whether someone would like to become an online person.
    - Receive info online through email and then take the survey online as well.
  - DSPD needs to make sure the cover letter being sent out is written at a proper reading level.
  - Consider having a field in USTEPS for adding someone's email.
  - In all things related to Medicaid clients – we should be sensitive regarding information that it is encrypted, etc.
  - Don't think you can fit everyone into the same box – need to adapt a little of both.
    - If you want a true survey result you need to go with various formats.
    - Don't do away with written, etc., DSPD should offer all options, but offering online you might be able to save a lot of that time and money, too.
  - Need to find a way to figure out how to help people understand that information they send is confidential.
  - The purpose of these surveys is to be responsive to consumers and their needs, and the only way to do that is to ask.

#### Public Comment Period

Public in Attendance

- Joyce Dolcourt asks where to find recordings, minutes and handouts of these public meetings:
  - The recordings and minutes can be found at the Utah Public Notice Website: <http://www.utah.gov/pmn/index.html>. They are required by statute to be posted here.
  - Additionally, the recordings, minutes, and handouts can be found at the DSPD website under "Public Meetings" at the following link: [http://www.dspd.utah.gov/public\\_meeting\\_minutes.htm](http://www.dspd.utah.gov/public_meeting_minutes.htm)

- Just click on the corresponding meeting date to find the information you want.

Set the Agenda for next meeting

Deborah Bowman, Chair

- The Advisory Council will continue to defer to DSPD to set the agenda and bring topics for discussion.
- May 28th is the next meeting.

Tonya Hales motion to Adjourn. Seconded and passed unanimously.

Minutes Approved \_\_\_\_\_.  
*Chairperson Signature*

With Amendment ☐ or, Without Amendment ☐